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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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07/25/2005

Kalle Suurpaa

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6812

4955

7590

11/13/2008

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EXAMINER

SAID, MANSOUR M

ART UNIT

PAPER NUMBER

2629

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/516,887	<b>Applicant(s)</b> SUURPAA ET AL.	
	<b>Examiner</b> MANSOUR M. SAID	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-15, 18-25 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 8, 9, 16, 17, 26 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/17/08</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. This Office Action is in response to the amendment filed on 7/25/ 2008.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-7, 10-15, 18-25 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Imai (6,259, 045 B 1) in view of Rogers (7,345,592 B2).**

**As to claim 1**, as best understood, Imai teaches Cover for an electronic device comprising a decoration (case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device (figures 1-7 and column 3, lines 1-31); contact sensitive component (electrodes, (figures 2-7, (15 and 41)), column 1, lines 45-61) arranged such that generates an electrical signal when a part ((hole, (figures 2-3, (21)) of said decoration case, figure 2, (20)) associated to said contact sensitive component (electrodes, (figures 2-7, (15 and 41)), is touched (column 1, lines 45-61, column 3, lines 23-30); and a connection component to electrically connecting said contact sensitive component to a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

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However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

**As to claims 2 and 20**, Imai teaches wherein said contact sensitive component comprise a pressure sensitive film (figures 2-7, column 1, lines 45-61, column 3, lines 23-30, column 4, lines 1-12 and column 6, lines 16-25).

**As to claims 3 and 21**, Imai teaches wherein said pressure sensitive film is an electromechanical film (figures 2-7, column 1, lines 45-61, column 3, lines 60-67, column 4, lines 62-67 and column 6, lines 20-40).

**As to claims 4 and 22**, Imai teaches wherein said pressure sensitive film comprises at least one force sensitive resistor (figures 2-7, and column 1, lines 45-61).

**As to claims 5 and 23**, Imai teaches wherein said contact sensitive component comprise at least one capacitive sensor (figures 2-7, column 1, lines 45-61, column 3, lines 23-30, column 3, lines 50-55 and column 4, lines 5-12).

**As to claims 6, 14 and 24**, Imai teaches wherein different parts (holes, (figures 2-3, (20)) of said decoration associated to said contact sensitive component result in a generation of different signals by said contact sensitive component when touched (figures 2-7, column 1, lines

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45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

**As to claims 7, 15 and 25**, Imai teaches wherein one or more selected parts (holes, (figures 2-3, (20)) of said decoration (case, figure 2, (20)) are associated to one or more functions enabled by a processor to which said contact sensitive component can be connected via said connection component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

**As to claims 10 and 18**, Imai teaches wherein said adjustable decoration comprises at least one light emitting diode which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-12).

**As to claims 11 and 19**, wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

**As to claim 12**, as best understood, Imai teaches an electronic device comprising a cover (figures 2-3), which cover comprises, a decoration case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device (figures 1-7 and column 3, lines 1-31) ; a contact sensitive component (electrodes, (figures 2-7, (15 and 41)), column 1, lines 45-61) arranged such that it generates an electrical signal when a part of said decoration associated to said contact sensitive component is touched (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67); and; a connection component configured to electrically connect said contact sensitive component to a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

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However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

**As to claim 13**, Imai teaches a data connection to said cover and a processing component configured to processing data received by said contact sensitive component of said cover (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

**As to claim 19**, Imai teaches wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

**As to claim 28**, Imai teaches wherein said adjustable decoration comprises at least one light emitting diode which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-12).

**As to claim 29**, Imai teaches wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

**As to claim 30**, as best understood, Imai teaches a cover (figures 2-3) comprising: means for presenting a decoration (case, figure 2, (20)) which is visible to a user when said cover is

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connected to an electronic device; means for generating an electrical signal when a part of said decoration is touched (figures 1-7 and column 3, lines 1-31); and means for electrically connecting said means for generating an electrical signal to means for processing the electrical signal (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

### ***Response to Arguments***

4. Applicant's arguments filed 7/25/08 have been fully considered but they are not persuasive. Applicant argued that "there is no suggestion in Imai that a processor which is suited to evaluate the input via a contact sensitive component could be included in the cover disclosed in Imai. However, the second references (Rogers) cited the claimed limitation, such as, a cover includes a processor (figure 4 and column 29-55).

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The combination of all references fairly discloses the claimed limitations, and therefore all references should be taken in combination and not individually. The Applicant cannot show non-obviousness by attacking references individually where, as here the rejections are based on combination of references. In *keller*, 208 USPQ 871 (CCPA 1981).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mansour M. Said whose telephone number is 571-272-7679. The examiner can normally be reached on Monday through Thursday from 8:30-6:00 P.M. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe whose telephone number is 571-272-7681.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: 571-273-8300 (for Technology Center 2600 only)

Hand-delivered responses should be brought to the Customer Service Window at the Randolph Building, 401, Dulany Street, Alexandria, VA 22314.

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/MANSOUR M SAID/

Examiner, Art Unit 2629

/Richard Hjerpe/

Supervisory Patent Examiner, Art Unit 2629